

H.A

Notice of Allowability

Application No.

09/786,086

Examiner

Dalei Dong

Applicant(s)

DEBRAY ET AL.

Art Unit

2879

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Request for Continued Examination filed on August 25, 2005.
2. ☒ The allowed claim(s) is/are 13-44.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>8/25/2005</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for-Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under *Ex Parte Quayle*, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on August 25, 2005 has been entered.

Allowable Subject Matter

2. Claims 13-44 are allowed.
3. The following is an examiner's statement of reasons for allowance:

Regarding to independent claim 13, prior art of record taken alone or in combination fails to teach or suggest a light source arrangement comprising: a luminescent material has a Ce-activated garnet structure having the formula $A_3B_5O_{12}$, in which the first component A contains at least one element from the group consisting of Y, Lu, Sc, La, Gd, and Sm, and the second component B contains at least one element from the group consisting of Al, Ga and In, in combination with other claimed features of the present claimed invention.

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Regarding to claims 14-26, are allowable because of dependency upon the allowable independent claim 13.

Regarding to independent claim 27, prior art of record taken alone or in combination fails to teach or suggest a light source arrangement comprising: a luminescent material has a Ce-activated garnet structure having the formula $A_3B_5O_{12}$, in which the first component A contains at least one element from the group consisting of Y, Lu, Sc, La, Gd, and Sm, and the second component B contains at least one element from the group consisting of Al, Ga and In, in combination with other claimed features of the present claimed invention.

Regarding to independent claim 28, prior art of record taken alone or in combination fails to teach or suggest a light source arrangement comprising: a luminescent material has a Ce-activated garnet structure having the formula $A_3B_5O_{12}$, in which the first component A contains at least one element from the group consisting of Y, Lu, Sc, La, Gd, Sm and Tb and consists at least in part of Tb as a constitute of the host lattice, and the second component B contains at least one element from the group consisting of Al, Ga and In, in combination with other claimed features of the present claimed invention.

Regarding to independent claim 29, prior art of record taken alone or in combination fails to teach or suggest a light source arrangement comprising: a

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luminescent material has a Ce-activated garnet structure having the formula $A_3B_5O_{12}$, in which the first component A contains at least one element from the group consisting of Y, Lu, La, Gd, and Sm, and the second component B contains at least one element from the group consisting of Al, Ga and In, in combination with other claimed features of the present claimed invention.

Regarding to claims 30-41, are allowable because of the dependency upon the allowable independent claim 29.

Regarding to independent claim 43, prior art of record taken alone or in combination fails to teach or suggest a light source arrangement comprising: a luminescent material has a Ce-activated garnet structure having the formula $A_3B_5O_{12}$, in which the first component A contains at least one element from the group consisting of Y, Lu, La, Gd, and Sm, and the second component B contains at least one element from the group consisting of Al, Ga and In, in combination with other claimed features of the present claimed invention.

Regarding to independent claim 44, prior art of record taken alone or in combination fails to teach or suggest a light source arrangement comprising: a luminescent material has a Ce-activated garnet structure having the formula $A_3B_5O_{12}$, in which the first component A contains at least one element from the group consisting of Y, Lu, La, Gd, Sm and Tb and the second component B contains at least one element

from the group consisting of Al, Ga and In, in combination with other claimed features of the present claimed invention.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dalei Dong whose telephone number is (571)272-2370. The examiner can normally be reached on 8 A.M. to 5 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimeshkumar Patel can be reached on (571)272-2457. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

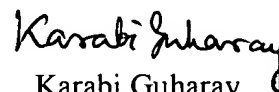
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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



D.D.

June 6, 2006


Karabi Guharay
Primary Examiner
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